

### **INTERVIEW SUMMARY**

This Interview Summary is further to the telephone Interview between Julie A. Haut and Examiner C. Lynne Anderson on June 1, 2007. During the Interview, the subject matter of Claim 1 and U.S. Patent No. 5,931,822 ("Bemis") was discussed. Specifically, the support member and its relationship with respect to the swingarm of Claim 1 was discussed. No particular agreement was reached with respect to the claims.

### **REMARKS**

Claims 1-21 are currently pending in the application. Claim 1 has been amended. Applicants respectfully request reconsideration of the pending claims in view of the following remarks.

#### **Claim Rejections - 35 U.S.C. § 102**

The Examiner rejected Claims 1-21 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,931,822 ("Bemis").

Bemis does not disclose the subject matter of amended independent Claim 1. Specifically, Bemis does not disclose a medical device for draining a liner-type suction canister, the device including a support member coupled to the swingarm for supporting the liner-type suction canister. Rather, Bemis discloses a cleaning station 400 for draining and cleaning a suction canister 14. The station 400 includes support posts 456, 460 and a holding bracket 464 on each of the support posts 456, 460. The station 400 further includes a housing 484, 488 vertically moveable relative to the support posts 456, 460. The holding bracket 464 is on the support posts 456, 460 and is not coupled to any part of the housing 484, 488. Therefore, the station 400 does not include a support member coupled to the swingarm.

For at least these reasons, Bemis does not disclose the subject matter of independent Claim 1. Accordingly, Claim 1 is allowable. Claims 2-13 depend from Claim 1, and are allowable for at least the reasons Claim 1 is allowable.

Bemis does not disclose the subject matter of independent Claim 14. Specifically, Bemis does not disclose a medical device for draining the fluid contained in a liner-type suction canister, the device including a swingarm having thereon a support member adapted to support the liner-type suction canister, the swingarm moveable between a first and a second position. As discussed above with respect to Claim 1, the station 400 of Bemis does not include a support member on the swingarm. Accordingly, independent Claim 14 is allowable. Claims 15-16 depend from Claim 14, and are allowable for at least the reasons Claim 14 is allowable.

Bemis does not disclose the subject matter of independent Claim 17. Specifically, Bemis does not disclose a medical device for draining fluid contained in a liner-type suction canister, the device including a swingarm coupled to the housing, the swingarm movable between a first position and a second position, the swingarm including a support member adapted to support the liner-type suction canister and a drainhead having therein a passageway, the drainhead adapted to engage the cover of the liner-type suction canister to permit fluid to drain from the liner-type suction canister through the drainhead to the housing.

As discussed above with respect to Claim 1, the station 400 of Bemis does not include a support member on the swingarm. Accordingly, independent Claim 17 is allowable.

Bemis does not disclose the subject matter of independent Claim 18. Specifically, Bemis does not disclose a method for draining a liner-type suction canister filled with fluid, the method comprising the acts of placing the liner-type suction canister on a swingarm of a drainage device and rotating the swingarm with the liner-type suction canister thereon. The station 400 of Bemis does not include a swingarm upon which the suction canister is positioned nor a swingarm that rotates. Accordingly, independent Claim 18 is allowable.

Bemis does not disclose the subject matter of independent Claim 19. Specifically, Bemis does not disclose a method for draining a liner-type suction canister filled with fluid, the method comprising the acts of placing the liner-type suction canister on a swingarm of a drainage device and rotating the swingarm with the liner-type suction canister thereon. The station 400 of Bemis does not include a swingarm upon which the suction canister is positioned nor a swingarm that rotates. Accordingly, independent Claim 19 is allowable.

Bemis does not disclose the subject matter of independent Claim 20. Specifically, Bemis does not disclose a method for draining a liner-type suction canister filled with fluid, the method comprising the acts of placing the liner-type suction canister on a swingarm of a drainage device when the swingarm is in a first position and rotating the swingarm from its first position to a second position. The station 400 of Bemis does not include a swingarm upon which the suction canister is positioned nor a swingarm that rotates. Accordingly, independent Claim 20 is allowable. Claim 21 depends from Claim 20, and is therefore allowable for at least the reasons Claim 20 is allowable.

#### Double Patenting

The Examiner rejected Claims 1 and 14-21 on the ground of non-statutory obviousness-type double patenting as being unpatentable over Claims 21-23 of U.S. Patent No. 6,626,877.

Applicants submitted a terminal disclaimer to address this rejection in the response to an earlier Office Action.

The Examiner also provisionally rejected Claims 1-21 on the ground of non-statutory obviousness-type double patenting as being unpatentable over Claims 1-20 of pending U.S. Patent Application Serial No. 10/834,594.

Applicants have noted this rejection as it is only provisional at this time.

CONCLUSION

In view of the foregoing, allowance of Claims 1-21 is respectfully requested. The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

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